



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,287	10/31/2001	Peter T. Fayette	34878-1006	3810

7590 01/24/2003

Peter R. Martinez  
LUCE, FORWARD, HAMILTON & SCRIPPS  
11988 El Camino Real  
suite 200  
San Diego, CA 92130

EXAMINER

SALATA, ANTHONY J

ART UNIT PAPER NUMBER

2837

DATE MAILED: 01/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/001,287

Applicant(s)

FAYETTE ET AL.

Examiner

Jonathan Salata

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

Art Unit: 2837



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND  
TRADEMARKS  
Washington, D.C. 20231

Paper No:6  
Serial Number: 10/001287  
Filing Date: October 31,2001

1. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

No output for the time determination is present. It appears to be a value that is calculated but not used.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2837

3. Claims 1,2,4,14,18,20,22,28,33,34,37,38,39 are rejected under 35 U.S.C. 102(b) as being anticipated by Amo (5844181).

1,37) Amo teaches in figures 1-8, an elevator information display system.

A display device on an elevator cab has a display device 210. Included in the display device is a computer 312, memory 315,314, communication card 318 and display 310.

Central controller and building servers 120 provide the information to be displayed to the display device. Figures 7,8 illustrate the broadcast schedule and scheduler.

2,20,38) Time on screen in figure 6.

4) Information is stated as news, sports, weather etc. (col. 4, lines 39-45) and is display as the advertising. The information may further comprise static images or video (col. 5, lines 45-50).

14,18) Col. 5, lines 42-45) state that multiple numbers of screens are scheduled for display and can be displayed for any predetermined length of time.

22) Broadcast schedule (figure 5)

28) Sound (col. 5, line 50).

33) City servers 114 use links 112 which are telephone lines, wireless or suitable communications.

34) Wireless is the preferred communication system,( col. 3, lines 59-65)

39) The displays are each individually addressable (col. 4, lines 59-65) and diagnostic data or maintenance data can be returned (col. 5, lines 59-64).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said

Art Unit: 2837

subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3,15,23,24,27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amo and Doigan et al (5606154).

Amo does not determine ride duration.

Doigan et al states that it is advantageous to determine ride duration such that ad determination can be performed such that ads can be charged for correctly.

Thus, to determine ride duration for ad charging would have been an obvious engineering design choice to one of ordinary skill in the art.

As stated above, the instant claimed invention provides no purpose for such a determination.

Ads will only be completed if a passenger is able to fully view the ad. If none are available a background program can be provided.

6. Claims 5-13,16,17,19,21,25,26,30,31,33,34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amo and Newville et al (6349797).

Amo merely states that a different number of display areas is possible but that too many are distracting.

Newville et al teaches that for an advertising screen for an elevator, it is advantageous to provide multiple displays such that advertisers can interact with the passengers and such that the ride is more pleasant.

Figures 4,13 illustrate the types of displays which include general information, events, traffic, schedules and building related information (emergency, testing). The number and locations of the displays are based on personal preference. Thus, the limitations as to the type and size of the displays are considered a matter of convenience.

Occupancy detectors (video) determine if passengers are present to view the ads.

Art Unit: 2837

The use of the Internet and wireless communication is stated to be known within the art.

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Amo and Yabe et al (5132681).

Amo does not illustrate a keypad.

Yabe et al teaches that it is advantageous to provide a keypad for a display system for a building. News and information as well as other controls are possible via a screen 6 with touch icons 22. The icons allow a menu of choices for greater access by a user.

Thus, to utilize an icon for increase display information in a screen system with multiple displays would have been an obvious engineering design choice to one of ordinary skill in the art.

8. Claims 32,35,36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amo and Tsuji (4839631).

Amo does not illustrate security cameras.

Tsuji states that the use of security cameras are known within the art. As illustrated, the placement of the cameras in the cab 1a, hallway 3 and outside entrance 4a is shown.

9. Applicant's arguments filed 1-13-03 have been fully considered but they are not persuasive. Claim 3, rejection under 35 USC 112 second paragraph. Yes, the ride duration is determined but it is never used in claim 3 and no claims are dependent upon claim 3. Thus, a value is calculated but never used in the display system or even displayed.

Applicant argues that Amo et al '181 teaches that the display is independent from elevator operation and control system.

Art Unit: 2837

The claimed invention which clearly recites in claim 1;

Cab computer (312) communicating with an elevator control system (within figure 4 "Ethernet Hub")

This clearly describes a control system separate in location from the cab computer.

Col. 3, lines 47-67 illustrate the communication process between the servers and cab computers.

And a server (410),

A display (310) communicating with the cab computer (312)

Wherein the cab computer receives data from the elevator control system (figure 4 "Ethernet cable") and information content is chosen (scheduler 312 in figure 3) and displayed (310).

Col. 3, line 66- col. 4 line 2, states that such "separation" obviates the need for service company interaction.

The same elements apply towards claim 37.

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the

Art Unit: 2837

date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry of a **general nature or relating to the status** of this application or **filed papers** should be directed to the **Group receptionist whose telephone number is (703) 308-0956.**

Papers related to this application may be submitted to Group 2800 by facsimile transmission. Papers should be faxed to Group 2800 via the PTO 2800 Fax Center located at Crystal Plaza 4. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15, 1989). The Group 2800 CP 4 Fax Center Before Final number is (703) 872-9318 or After Final number is (703) 872-9319.

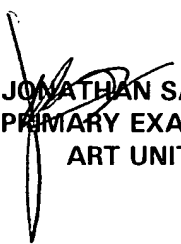
For assistance in **Patent procedure, fees or general Patent questions** calls should be directed to the **Patents Assistance Center (PAC)** whose telephone number is **800-786-9199**. Assistance is also available on the Internet at [www.uspto.gov](http://www.uspto.gov).

For requesting **copies** of Cited Art, Office Actions or the like, or General Problem solving, calls should be directed to the TC 2800 Customer Service Office whose telephone number is 703-872-9317 or by fax at 703-306-5515.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jonathan Salata** whose telephone number is **(703) 308-3120**. The examiner can normally be reached on Monday through Thursday from 6:30 am to 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Nappi, can be reached on (703) 308-3370.

ajs  
January 22, 2003

  
**JONATHAN SALATA**  
**PRIMARY EXAMINER**  
**ART UNIT 2837**